

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES HEALTH CARE INSTITUTIONS: LICENSING

[R05-140]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 10, Department of Health Services – Health Care Institutions: Licensing
Article and its heading: 7, Assisted Living Facilities
Section numbers: R9-10-701 through R9-10-724 (The Department may add, delete, or modify Sections as necessary.)

- 2. The subject matter of the proposed rule:**
The purpose of this rulemaking is to update the licensing requirements for assisted living facilities. A.R.S. §§ 36-405 and 36-406 require the Department of Health Services (Department) to adopt rules to establish minimum standards and requirements for the construction, modification, and licensure of health care institutions necessary to ensure public health, safety, and welfare. *Arizona Administrative Code* Title 9, Chapter 10, Article 7, implements these statutes for assisted living facilities by providing definitions and licensing requirements for assisted living facilities to follow. The rulemaking will address current industry practices, clarify licensing requirements, correct awkward syntax, and improve the organization of the Article. All changes will conform to rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify Sections as necessary.

The agency docket number, if applicable:

RE-004-05

- 3. A citation to all published notices relating to the proceeding:**

None

- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Alan Oppenheim
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Or

Name: Kathleen Phillips, Rules Administrator

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5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted at the addresses listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking